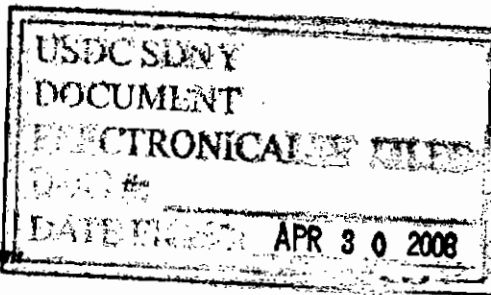


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401 Broadway, 25th Floor
New York, NY 10013

April 29, 2008

Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

By fax

Re: United States v. Jaiver Alejandro
07 Cr. 25 (LTS)

Dear Judge Swain:

I was assigned on April 4, 2008 as CJA counsel for the above captioned defendant, substituting in for Eric Mark Sears. On or about April 8, 2008 I was informed by Roger Asmar, of the firm of Ross and Asmar, that his firm had been retained to represent Mr. Alejandro. A notice of appearance was filed by Steven B. Ross on April 9, 2008. I thereafter performed no further services on the case, nor have I been in contact with Mr. Alejandro since that time.

I request that I be relieved as counsel for Mr. Alejandro. I can not be present in court on April 30, 2008 because I am engaged in a long running trial before United States District Judge Denis R. Hurley at the Central Islip courthouse of the Eastern District. Should my presence be required for the substitution of counsel to be finalized I request that the conference be adjourned to May 2, 2008 at a time other than 11:30 a.m or 3:30 p.m., or on a date on or after May 9, 2008. Assuming that I have standing to do so, I consent to the tolling of all speedy trial periods until the next conference. If it would assist the Court, I can call the courtroom during the conference that is already scheduled and participate by telephone.

The conference is adjourned to May 2, 2008 at 2:30 p.m. In light of the need for formalization of the change in defense counsel, the Court first that exclusion of the period from April 30 to May 2, 2008, from speedy trial computations is in the interests of justice. Mr. Nobel is requested to be present at the adjourned conference.

cc: Mr. Steven B. Ross
AUSA Glen Garrett McCorty
(by e-mail attachment)

Respectfully submitted,

Daniel Nobel

SO ORDERED.

4/30/08
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE